IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

Bail Appl..No. 4741 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4494/2007 Dated 25/07/2007
CMP.2046/2007 of J.M.F.C., MANNARKAD
CRIME NO.18/07 OF EXCISE RANGE, AGALI.

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PETITIONER/ACCUSED NO.1

ROHINI, W/O NARAYANAN,
PUTHEN VEEDU, KUKKUMPALAYAM DESOM,
THAVALAM, AGALI VILLAGE,
MANNARKKAD TALUK.

BY ADV. SRI.B.H.MANSOOR

RESPONDENTS: COMPLAINANTS

THE EXCISE INSPECTOR, AGALI EXCISE
RANGE, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4741 of 2007

Dated this the 6th day of August, 2007

ORDER

Application for regular bail. The petitioner – a woman, faces allegations under the Kerala Abkari Act. She was allegedly found to be in possession of 190 packets x 150 ml. of arrack. The offence was detected on 24/6/07. The petitioner could not be arrested as there was no woman official in the party which detected the crime. She came to this Court with an application for anticipatory bail. The same was dismissed with observations as per Annexure-I order. Later, she surrendered before the learned Magistrate on 19/7/07. She continues in custody from that date. The learned Public Prosecutor reports that the petitioner is an accused in another earlier offence under the Abkari Act.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied

that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 10/8/2007. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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